

In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments, protests, or motions to intervene must be received on or before the specified comment date for the particular application.

**C1. Filing and Service of Responsive Documents**—Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", "PROTEST", OR "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

**D2. Agency Comments**—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

**David P. Boergers,**

*Acting Secretary.*

[FR Doc. 98-6488 Filed 3-12-98; 8:45 am]

BILLING CODE 6717-01-M

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### Notice of Proceeding Pursuant to Reserved Authority To Determine Whether Modifications to License Are Appropriate

March 9, 1998.

Take notice that the following hydroelectric application has been filed with the Commission and is available for public inspection:

a. *Type of Action:* Proceeding pursuant to reserved authority to determine whether modifications to license are appropriate.

b. *Project No.:* 4718-010.

c. *License Issued:* December 8, 1982.

d. *Licensee:* Southern New Hampshire Hydroelectric Development Corporation.

e. *Name of Project:* Cocheco Falls.

f. *Location:* Cocheco River, Dover, New Hampshire.

g. *Authorization:* Article 11 of the project.

h. *Licensee Contact:* Mr. John Webster, Southern New Hampshire Hydroelectric Development Corporation, P.O. Box 178, South Berwick, ME 03908.

i. *FERC Contact:* Robert Grieve, (202) 219-2655.

j. *Comment Date:* April 11, 1998.

k. *Description of Proceeding:* The Commission has initiated a proceeding to determine if reserved authority under article 11 of the project license should be used to require modifications to the project. On September 25, 1995, the New Hampshire Department of Justice filed New Hampshire Fish and Game Department's (FGD) petition to revise the license for the Cocheco Falls Project with respect to upstream and downstream fish passage. In the petition, the FGD requested that a proceeding be initiated to require the licensee to modify the upstream and downstream fish passage facilities and trash boom and to extend the schedule of operation of the passage facilities. On August 30, 1996, Commission staff forwarded its preliminary analysis to the licensee, the New Hampshire Department of Justice and the FGD. Comments were received from each entity and the U.S. Fish and Wildlife Service.

Commission staff concluded in the preliminary analysis that modifications to the fish passage facilities and their operating schedules are warranted, along with a plan to correct trash boom problems.

Copies of the New Hampshire Department of Justice petition and Commission staff's preliminary analysis may be obtained from the Commission's public file in this proceeding.

1. This notice also consists of the following standard paragraphs: B, C1, and D2.

B. Comments, Protests, or Motions to Intervene—Anyone may submit comments, a protest, or a motion to intervene in accordance with the requirements of Rules of Practice and Procedure, 18 CFR 385.210, .211, .214. In determining the appropriate action to take, the Commission will consider all protests or other comments filed, but only those who file a motion to intervene in accordance with the Commission's Rules may become a party to the proceeding. Any comments,

protests, or motions to intervene must be received on or before the specified comment date for the particular application.

C1. Filing and Service of Responsive Documents—Any filings must bear in all capital letters the title "COMMENTS", "RECOMMENDATIONS FOR TERMS AND CONDITIONS", and "PROTEST", or "MOTION TO INTERVENE", as applicable, and the Project Number of the particular application to which the filing refers. Any of the above-named documents must be filed by providing the original and the number of copies provided by the Commission's regulations to: The Secretary, Federal Energy Regulatory Commission, 888 First Street, NE., Washington, DC 20426. A copy of any motion to intervene must also be served upon each representative of the Applicant specified in the particular application.

D2. Agency Comments—Federal, state, and local agencies are invited to file comments on the described application. A copy of the application may be obtained by agencies directly from the Applicant. If an agency does not file comments within the time specified for filing comments, it will be presumed to have no comments. One copy of an agency's comments must also be sent to the Applicant's representatives.

**David P. Boergers,**

*Acting Secretary.*

[FR Doc. 98-6490 Filed 3-12-98; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

[FRL-5977-2]

### Proposed Settlement Agreement, Clean Air Citizen Suit

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of proposed settlement; request for public comment.

**SUMMARY:** In accordance with section 113(g) of the Clean Air Act, as amended ("Act" or "CAA"), 42 U.S.C. 7413(g), notice is hereby given of a proposed partial consent decree, which was lodged with the United States District Court for the District of Columbia by the United States District Court of Columbia by the United States Environmental Protection Agency ("EPA") on February 27, 1998, to address a lawsuit filed by the Sierra Club. This lawsuit, which was filed pursuant to section 304(a) of the Act, 42 U.S.C. 7604(a), addresses EPA's